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15 **UNITED STATES DISTRICT COURT**

16 **DISTRICT OF NEVADA**

17 MARLON LORENZO BROWN ,
18 Plaintiff,
19 vs.
20 DANTE TROMBA, *et al.*,
21 Defendants.

22 Case No.: 2:17-cv-02396-APG-BNW

23 **STIPULATION TO STAY DISCOVERY**

24 MARLON BROWN
25 Plaintiff,
26 vs.
27 SGT. TROMBA and LAS VEGAS
28 METROPOLITAN POLICE DEPARTMENT,
29 Defendants.

30 Consolidated Case No.: 2:19-cv-01350-APG-
31 BNW

32 Defendants Las Vegas Metropolitan Police Department (“LVMPD”) and Dante Tromba
33 (collectively, “LVMPD Defendants”), by and through their counsel, Kaempfer Crowell, and
34 Marlon Lorenzo Brown (“Plaintiff”), by and through his counsel, McAvoy Amaya & Revero,

1 hereby stipulate as follows:

2 1. Discovery shall be stayed until the Court rules on LVMPD Defendants' Motion to
3 Dismiss, (ECF No. 116), subject to lifting of the stay if the case is not dismissed;

4 2. A stay is necessary because the pending Motion involves issues of immunity and
5 adequacy of pleading allegations, and resolution of the Motion does not require discovery. *Pilger*
6 *v. Mosley*, No. 2:18-cv-00854-JAD-PAL, 2018 WL 5268605, at *2 (D. Nev. Oct. 23, 2018)
7 ("The Supreme Court has squarely held that until the threshold issue of immunity is resolved,
8 discovery should not proceed."). A stay of discovery at this time will align with Fed. R. Civ.
9 Proc. 1, which declares that the Rules "should be construed, administered, and employed by the
10 court and the parties to secure the just, speedy, and inexpensive determination of every action
11 and proceeding."

12 3. From this same basis, the Court previously granted the parties' Stipulation to Stay
13 Discovery. (Order, ECF No. 108);

14 4. The discovery stay shall include all discovery previously served but for which no
15 response has been made;

16 5. The parties agree that any responses to any outstanding discovery will be made
17 within fourteen (14) days of the Court's ruling on the Motion to Dismiss; if necessary;

18 6. The parties will submit a new proposed Discovery Plan to the Court within
19 fourteen (14) days of the Court's ruling on the Motion to Dismiss and the stay will be lifted. The
20 new discovery plan will include extended deadlines to designate experts, conduct

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1 discovery, and file dispositive motions.

2 DATED this 23rd day of December, 2022.

3 KAEMPFER CROWELL

MCAVOY AMAYA & REVERO

4 By: /s/ Lyssa S. Anderson

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11 **IT IS SO ORDERED.**

12 DATED this 27th day of December, 2022.

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15 UNITED STATES MAGISTRATE JUDGE